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EXAMINER	
WON, MICHAEL YOUNG	
ART UNIT	**PAPER NUMBER**
2155	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/626,548	MAEKAWA, YOHEI	
	Examiner	Art Unit	
	Michael Y. Won	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 June 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,8,10,12-20,28-31,35 and 36* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,8,10,12-20,28-31,35 and 36* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *5/10/04 & 9/8/05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of claims 1-4, 8, 10, 12-20, 28-31, 35 and 36 in the reply filed on June 21, 2007 is acknowledged. The traversal is on the ground(s) that the "search and examination of the entire application could be made without serious burden". This is not found persuasive because the inventions as claimed clearly perform different functionalities and modes of operations wherein the claims do not encompass overlapping subject matter and there is nothing of record to show them to be obvious variants. As such, these inventions are independent or distinct and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art in view of their different classification and would require a different field of search (see MPEP § 808.02).

The requirement is still deemed proper and is therefore made FINAL.

2. Claims 1-4, 8, 10, 12-20, 28-31, 35 and 36 have been examined and are pending with this action.

Claim Objections

3. Claim 20 is objected to because of the following informalities: Claim 20 is written as depending upon itself. Appropriate correction is required.

Claim 18 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 18 recites the same limitation as claim 16 in which claim 18 depends upon.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-4, 8, 10, 12-20, 28-31, 35 and 36 are rejected under 35 U.S.C. 102(a) and 35 U.S.C. 102(e) as being anticipated by Hacherl (US 6,324,571 B1).

INDEPENDENT:

As per **claim 1**, Hacherl teaches a configuration setting system for a network system including a plurality of electronic devices communicably connected to a network, said configuration setting system setting a configuration of an electronic device based on a configuration of another electronic device that functions as a model device (see

col.7, lines 12-26: "is configured to replicate that naming context to and from a particular set of other domain controllers"),

said plurality of electronic devices including a candidate electronic device to operate as the model device (see col.2, lines 5-15: "only one server may be designated with authority to actually perform the task"), said candidate electronic device being provided with:

a checking system that checks whether there is a currently operating model device on said network when said candidate electronic device is to function as the model device (see col.12, lines 53-60: "Prior to beginning operations as RID Master, however, domain controller 110a replicates in the FSMO_Role_Owner attribute on the RID_Master object from one of the other domain controllers... updated to identify domain controller 110c"); and

a determining system that determines, when said checking system detects the model device, only one of said candidate electronic device and the currently operating model device as a new model device (see col.12, lines 60-65: "Thus... abandons all attempts to operate as RID Master and recognizes domain controller 110c as the current RID Master").

As per **claim 8**, Hacherl teaches an electronic device capable of operating as a model device for a configuration setting system for a network system having a plurality of electronic devices communicably connected to a network, a configuration of the plurality of electronic devices being set based on a configuration of the model device

(see col.7, lines 12-26: "is configured to replicate that naming context to and from a particular set of other domain controllers"), said electronic device capable of operating as the model device being provided with:

a checking system that checks whether there is a currently operating model device on the network when said electronic device is to function as the model device(see col.12, lines 53-60: "Prior to beginning operations as RID Master, however, domain controller 110a replicates in the FSMO_Role_Owner attribute on the RID_Master object from one of the other domain controllers... updated to identify domain controller 110c"); and

a determining system that determines, when said checking system detects the currently operating model device on the network, one of said electronic device and the currently operating model device as a new model device (see col.12, lines 60-65: "Thus... abandons all attempts to operate as RID Master and recognizes domain controller 110c as the current RID Master").

As per **claim 10**, Hacherl teaches a computer accessible storage which stores a program which is executed by a computer so that the computer function as an electronic device capable of operating as a model device for a configuration setting system for a network system having a plurality of electronic devices communicably connected to a network, a configuration of the plurality of electronic devices being set based on a configuration of the model device (see col.7, lines 12-26: "is configured to replicate that

naming context to and from a particular set of other domain controllers"), said electronic device capable of operating as the model device being provided with:

a checking system that checks whether there is a currently operating model device on the network when said electronic device is to function as the model device (see col.12, lines 53-60: "Prior to beginning operations as RID Master, however, domain controller 110a replicates in the FSMO_Role_Owner attribute on the RID_Master object from one of the other domain controllers... updated to identify domain controller 110c"); and

a determining system that determines, when said checking system detects the currently operating model device on the network, one of said electronic device and the currently operating model device as a new model device (see col.12, lines 60-65: "Thus... abandons all attempts to operate as RID Master and recognizes domain controller 110c as the current RID Master").

As per **claim 12**, Hacherl teaches a configuration setting system for a network system including a plurality of electronic devices communicably connected to a network, said configuration setting system setting a configuration of an electronic device based on a configuration of a predetermined electronic device functioning as a model device (see col.7, lines 12-26: "is configured to replicate that naming context to and from a particular set of other domain controllers"), said predetermined electronic device being provided with:

a checking system that checks whether there is a currently operating model device on said network when said predetermined electronic device is to function as the model device (see col.12, lines 53-60: "Prior to beginning operations as RID Master, however, domain controller 110a replicates in the FSMO_Role_Owner attribute on the RID_Master object from one of the other domain controllers... updated to identify domain controller 110c"); and

a determining system that determines, when said checking system detects no model device, said predetermined electronic device as the model device for said network system (see col.12, lines 60-65: "Thus... abandons all attempts to operate as RID Master and recognizes domain controller 110c as the current RID Master").

As per **claim 28**, Hacherl teaches a configuration setting system having a plurality of electronic devices communicably connected through a network, a configuration of each electronic device being set in accordance with a configuration of a model device (see col.7, lines 12-26: "is configured to replicate that naming context to and from a particular set of other domain controllers"), said configuration setting system being configured such that if there are a plurality of model devices simultaneously exits on the network, only one of said model devices is kept functioning as the model device and the other model devices are turned to non-model devices in accordance with predetermined information (see col.12, lines 50-65: "Thus... abandons all attempts to operate as RID Master and recognizes domain controller 110c as the current RID Master").

As per **claim 30**, Hacherl teaches an electronic device for a configuration setting system in which a plurality of electronic devices are communicably connected to a network, a configuration of each of said plurality of electronic devices being set in accordance with a model device (see col.7, lines 12-26: "is configured to replicate that naming context to and from a particular set of other domain controllers"), said electronic device being configured to have a priority, said electronic device being provided with:

a detecting system that detects, when said electronic device operates as the model device, participation of another model device on the network;

a comparing system that compares priorities of said electronic device and the another model device detected by said detecting system; and

a setting system that sets said electronic device one of the model device and a non-model device depending on a comparison result of said comparing system.

As per **claim 35**, Hacherl teaches a model device of a configuration setting system for a network system including a plurality of electronic devices communicably connected to a network, the configuration setting system setting a configuration of an electronic device based on a configuration of said model device (see col.7, lines 12-26: "is configured to replicate that naming context to and from a particular set of other domain controllers"), said model device being provided with:

a determining system that determines whether an other electronic device is to function as the model device for the network system (see col.12, lines 53-60: "Prior to

beginning operations as RID Master, however, domain controller 110a replicates in the FSMO_Role_Owner attribute on the RID_Master object from one of the other domain controllers... updated to identify domain controller 110c"); and

a setting system that sets the configuration of said model device so as to function as a non-model device, said setting system setting the configuration of the other electronic device to function as the model device when said determining system determines that the other electronic device it to function as the model device for the network system (see col.12, lines 50-65: "Thus... abandons all attempts to operate as RID Master and recognizes domain controller 110c as the current RID Master").

As per **claim 36**, Hacherl teaches a model device of a configuration setting system for a network system including a plurality of electronic devices communicably connected to a network, the configuration setting system setting a configuration of an electronic device based on a configuration of said model device (see col.7, lines 12-26: "is configured to replicate that naming context to and from a particular set of other domain controllers"), said model device being provided with:

a determining system that determines whether an other electronic device is to function as the model device for the network system (see col.12, lines 53-60: "Prior to beginning operations as RID Master, however, domain controller 110a replicates in the FSMO_Role_Owner attribute on the RID_Master object from one of the other domain controllers... updated to identify domain controller 110c"); and

a setting system that that sets the configuration of the other electronic device to function as a non-model device when said determining system determines that said model device is kept operating as said model device (see col.12, lines 50-65: "Thus... abandons all attempts to operate as RID Master and recognizes domain controller 110c as the current RID Master").

DEPENDENT:

As per **claim 2**, which depends on claim 1, Hacherl further teaches wherein said currently operating model device is configured such that whether a function of the model device is to be maintained is set (see col.2, lines 5-9: "only one server may be designated with authority to actually perform the task"), and wherein said determining system determines that the currently operating model device as the model device when said currently operating model device is configured such that the function of the model device is to be maintained (see col.12, lines 15-35).

As per **claim 3**, which depends on claim 1, Hacherl further teaches wherein said determining system including an input device that allows a user to select one of said candidate electronic device and the currently operating model device as the new model device (see col.11, lines 16-27).

As per **claim 4**, which depends on claim 1, Hacherl further teaches wherein said candidate electronic device is provided with a notification system that notifies other electronic devices that said candidate electronic device operates as the model device

when said determining system determines said candidate electronic device as the new model device (see col.12, lines 32-35).

As per **claim 13**, which depends on claim 12, Hacherl further teaches wherein, said determining system includes an input system that allows a user to select one of the currently operating model device and said predetermined electronic device as said model device, wherein when said currently operating model device is on said network and the function as said model device is releasable (see col.11, lines 16-27), said determining system determining selected one of said currently operating model device and said predetermined electronic device as said model device and the other as a non-model device (see col.2, lines 5-9).

As per **claim 14**, which depends on claim 13, Hacherl teaches of further including a setting system that sets the configuration of said currently operating model device to function as the non-model device (see col.12, lines 50-65), and sets the configuration of said predetermined electronic device to function as said model device when said predetermined electronic device is determined to be said model device (see col.2, lines 5-9).

As per **claim 15**, which depends on claim 13, Hacherl teaches of further including a setting system that sets the configuration of said predetermined electronic device to function as said non-model device when said currently operating electronic device is determined to be said model device (see col.12, lines 50-65).

As per **claim 16**, which depends on claim 15, Hacherl further teaches wherein said setting system obtains the configuration of said currently operating model device

and updates the configuration of said predetermined electronic device in accordance with the configuration of said currently operating model device (see col.12, lines 57-60).

As per **claim 17**, which depends on claim 12, Hacherl further teaches wherein said determining system includes an input system that allows a user to select one of the currently operating model device and said predetermined electronic device as said model device, and wherein, when said currently operating model device is on said network and the function as said model device is not releasable, said setting system sets the configuration of said predetermined electronic device so as to operate as the non-model device (see claim 13 rejection above).

As per **claim 18**, which depends on claim 16, Hacherl further teaches wherein said setting system obtains the configuration of said currently operating model device and updates the configuration of said predetermined electronic device in accordance with the configuration of said currently operating model device (see claim 13 rejection above).

As per **claim 19**, which depends on claim 12, Hacherl further teaches wherein, when said currently operating model device is on said network, said determining system determines one of said currently operating model device and said predetermined electronic device as said model device and the other as a non-model device in accordance with predetermined information (see claim 13 rejection above).

As per **claim 20**, which depends on claim 20, Hacherl further teaches wherein said predetermined information includes priority defined for each of said currently

operating model device and said predetermined electronic device (see col.12, lines 19-22).

As per **claim 29**, which depends on claim 28, Hacherl further teaches wherein said predetermined information includes priorities defined to said plurality electronic devices, respectively (see col.12, lines 19-22).

Conclusion

5. For the reasons above claims 1-4, 8, 10, 12-20, 28-31, 35 and 36 have been rejected and remain pending.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Y. Won whose telephone number is 571-272-3993. The examiner can normally be reached on M-Th: 7AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Won/

Primary Examiner

July 13, 2007